

IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 142 of 2005 (S/B)

Sudhanshu Garg,
S/o Raja Ram Garg.
Assistant Regional Transport Officer (Administration),
Haridwar, Uttaranchal. Petitioner

Versus

1. State of Uttaranchal,
through Principal Secretary, Transport,
Uttaranchal Shasan, Dehradun.
2. Transport Commissioner,
Uttaranchal, Dehradun. Respondents

Mr. Navnet Kaushik, Advocate for the petitioner.
Mr. J.P. Joshi, Addl. Chief Standing Counsel for the State of Uttaranchal.

Coram: Hon. Cyriac Joseph. C.J.
Hon. Rajesh Tandon, J.

ORAL JUDGMENT: (Per Hon'ble the Chief Justice)

1. The petitioner is an Assistant Regional Transport Officer. In this writ petition, he challenges his transfer from Haridwar to Almora as per Annexure 1 Order. The only ground urged by the petitioner is that the impugned transfer is in violation of the guidelines for transfer issued by the Government.

2. It is settled law that if a Government employee is aggrieved by transfer allegedly in violation of the guidelines for transfer, the proper remedy available to him is to approach the higher authorities in the Government. Though the petitioner has submitted Annexure 6 Representation to the second respondent who issued the impugned transfer order, learned counsel for the petitioner submits that the petitioner may be permitted to submit a representation to the Government itself.

3. Hence, the writ petition is disposed of with a direction that if the petitioner makes a representation to the Government (first

respondent) against his transfer from Haridwar to Almora, it shall be considered and disposed of in accordance with law by the Government as expeditiously as possible and at any rate, within a period of three weeks from the date of receipt of the representation.

4. The petitioner may produce a copy of this judgment along with the representation before the first respondent for information and compliance.

(Rajesh Tandon, J.)
16.07.2005

(Cyriac Joseph, C.J.)
16.07.2005

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